

**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

016325-003721US

I hereby certify that this correspondence is being filed via  
EFS-Web with the United States Patent and Trademark Office  
on the date indicated below.

on August 24, 2006

Signature

Typed or printed  
name Kimberly Rosa

In re Application of Kenneth L. Luskey and Jian Luo

Application Number 10/660,112

Filed September 10,  
2003

For USE OF (-)(3-TRIHALOMETHYLPHENOXY)(4-  
HALOPHENYL) ACETIC ACID DERIVATIVES FOR  
TREATMENT OF INSULIN RESISTANCE, TYPE 2  
DIABETES AND HYPERLIPIDEMIA

Art Unit 1614

Examiner James D.  
Anderson

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced  
by half, and the resulting fee is:

\$ 250

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.  
I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment  
to Deposit Account No. 20-1430. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

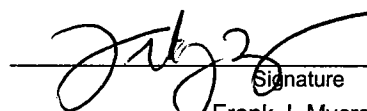
☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record.

Registration number 46,946

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. \_\_\_\_\_



Signature

Frank J. Mycroft  
Typed or printed name

(925) 472-5000

Telephone number

August 24, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.